

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-----------------------|------------------------|
| First Named Inventor: | Edward Sean Hoskins |
| Serial No.: | 09/727,031 |
| Filed: | November 29, 2000 |
| Docket: | SEA9390/40046.89-US-U1 |

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
(REVOCATION OF PRIOR POWERS)

As assignee of record of the entire interest of the above identified application,
REVOCATION OF PRIOR POWERS OF ATTORNEY
all powers of attorney previously given are hereby revoked and

NEW POWER OF ATTORNEY

the following practitioners/patent agent are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

| | |
|---|---|
| Edward P. Heller, III, Registration No. 29,075 | Shawn B. Dempster, Registration No. 34,321 |
| Raghunath S. Minisandram, Registration No. 38,683 | Jonathan E. Olson, Registration No. 41,231 |
| Leland D. Schultz, Registration No. 30,322 | Cecilia A. (Peggy) Walsh, Registration No. 45,659 |
| Derek J. Berger, Registration No. 45,401 | |

And members of the firm of Merchant & Gould P.C.

| | | | |
|-----------------------------|-----------------|---------------------------|-------------------|
| Albrecht, John W. | Reg. No. 40,481 | Holzer, Jr., Richard J. | Reg. No. 42,668 |
| Anderson, Gregg I. | Reg. No. 28,828 | Johnston, Scott W. | Reg. No. 39,721 |
| Batzli, Brian H. | Reg. No. 32,960 | Kadiavitch, Natalie D. | Reg. No. 34,196 |
| Beard, John L. | Reg. No. 27,612 | Karjcker, Shaikat | Reg. No. 34,049 |
| Berns, John M. | Reg. No. 43,496 | Kastelic, Joseph M. | Reg. No. 37,160 |
| Black, Bruce E. | Reg. No. 41,622 | Kettelberger, Denise | Reg. No. 33,924 |
| Branch, John W. | Reg. No. 41,633 | Keys, Jeramie J. | Reg. No. 42,724 |
| Bremer, Dennis C. | Reg. No. 40,528 | Knearl, Homer L. | Reg. No. 21,197 |
| Bruess, Steven C. | Reg. No. 34,130 | Kowalchuk, Alan W. | Reg. No. 31,535 |
| Byrne, Linda M. | Reg. No. 32,404 | Kowalchuk, Katherine M. | Reg. No. 36,848 |
| Carlson, Alan G. | Reg. No. 25,959 | Lacy, Paul E. | Reg. No. 38,946 |
| Caspers, Philip P. | Reg. No. 33,227 | Larson, James A. | Reg. No. 40,443 |
| Chiapetta, James R. | Reg. No. 39,634 | Liepa, Mara E. | Reg. No. 40,066 |
| Clifford, John A. | Reg. No. 30,247 | Lindquist, Timothy A. | Reg. No. 40,701 |
| Coldren, Richard J. | Reg. No. 44,084 | Lycke, Lawrence F. | Reg. No. 38,540 |
| Daignault, Ronald A. | Reg. No. 25,968 | McAuley, Steven A. | Reg. No. 46,084 |
| Daley, Dennis R. | Reg. No. 34,994 | McDonald, Daniel W. | Reg. No. 32,044 |
| Dalglis, Leslie E. | Reg. No. 40,579 | McIntyre, Jr., William F. | Reg. No. P-44,921 |
| Daulton, Julie R. | Reg. No. 36,414 | Mueller, Douglas P. | Reg. No. 30,300 |
| DeVries Smith, Katherine M. | Reg. No. 42,157 | Pauly, Daniel M. | Reg. No. 40,123 |
| DiPietro, Mark J. | Reg. No. 28,707 | Phillips, John B. | Reg. No. 37,206 |
| Edell, Robert T. | Reg. No. 20,187 | Plunkett, Theodore | Reg. No. 37,209 |
| Epp Ryan, Sandra | Reg. No. 39,667 | Prendergast, Paul J. | Reg. No. 46,068 |
| Glance, Robert J. | Reg. No. 40,620 | Pytel, Melissa J. | Reg. No. 41,512 |
| Goggin, Matthew J. | Reg. No. 44,125 | Qualey, Terry | Reg. No. 25,148 |
| Golla, Charles E. | Reg. No. 26,896 | Reich, John C. | Reg. No. 37,703 |
| Gorman, Alan G. | Reg. No. 38,472 | Reiland, Earl D. | Reg. No. 25,767 |
| Gould, John D. | Reg. No. 18,223 | Schmaltz, David G. | Reg. No. 39,828 |
| Gregson, Richard | Reg. No. 41,804 | Schuman, Mark D. | Reg. No. 31,197 |
| Grosens, John J. | Reg. No. 33,112 | Schumann, Michael D. | Reg. No. 30,422 |
| Hamre, Curtis B. | Reg. No. 29,165 | Scully, Timothy B. | Reg. No. 42,137 |
| Hillson, Randall A. | Reg. No. 31,838 | Sebald, Gregory A. | Reg. No. 33,280 |

Skoog, Mark T.
Spellman, Steven J.
Stoll-DeBell, Kirstin L.
Sumner, John P.
Swenson, Erik C.
Tellekson, David K.
Trembath, Jon R.
Underhill, Albert L.
Vandenburgh, J. Derek

Reg. No. 40,178
Reg. No. 45,124
Reg. No. 43,164
Reg. No. 29,114
Reg. No. 45,147
Reg. No. 32,314
Reg. No. 38,344
Reg. No. 27,403
Reg. No. 32,179

Weaver, Karrie C.
Welter, Paul A.
Whipps, Brian
Wickhem, J. Scot
Williams, Douglas J.
Witt, Jonelle
Wu, Tong
Xu, Min S.
Zeuli, Anthony R.

Reg. No. 43,245
Reg. No. 20,890
Reg. No. 43,261
Reg. No. 41,376
Reg. No. 27,054
Reg. No. 41,980
Reg. No. 43,361
Reg. No. 39,536
Reg. No. 45,255

CHANGE OF ATTORNEY'S/AGENT'S ADDRESS IN APPLICATION

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903

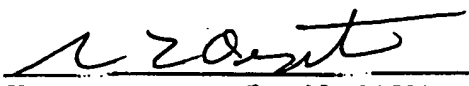
STATEMENT UNDER 37 CFR 3.73(b)

Seagate Technology I.L.C. states that it is the Assignee of Entire Interest in the patent application/patent identified above by virtue of an Assignment from the inventor(s) of the patent application/patent identified above. A copy of the Assignment is attached and/or was recorded in the Patent and Trademark Office at Reel _____, Frame _____. The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Respectfully submitted,

SEAGATE TECHNOLOGY LLC
(Assignee of Entire Interest)

26 January 2001
Date


Shawn B. Dempster, Reg. No. 34,321
Senior Director of Intellectual Property, Product and
Technology Development
SEAGATE TECHNOLOGY LLC
Intellectual Property Dept. - SHK2LG
1280 Disc Drive
Shakopee, MN 55379-1863
(952) 402-2517 (telephone)
(952) 402-2657 (facsimile)

ASSIGNMENT

WHEREAS, I, Edward Sean Hoskins, residing at; 1800 Sunlight Drive, Longmont, Colorado 80501, have invented certain new and useful inventions and improvements for which I filed an application entitled FULL VOLUME SLIP DEFECT MANAGEMENT IN A DISC DRIVE for Letters Patent of the United States, the application having been executed on even date herewith, and/or being identifiable in the United States Patent and Trademark Office by Serial No. 09/727,031, filed November 29, 2000; and

AND WHEREAS, Seagate Technology LLC, a limited liability company organized and existing under and by virtue of the laws of the State of Delaware, and having an office and place of business at 920 Disc Drive, Scotts Valley, California 95067 (hereinafter "Assignee"), is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

NOW THEREFORE, to all whom it may concern, be it known that for good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, I have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and I do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the Assignee, its successors and assigns.

I authorize the Assignee, its successors and assigns, to insert in this instrument the filing date and serial number of the application when ascertained.

I authorize the Assignee, its successors and assigns, or anyone it may properly designate,

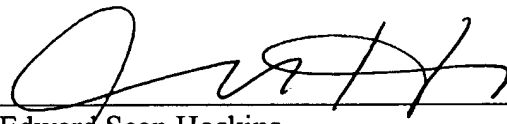
to apply for Letters patent or similar legal protection, in its own name if desired, in any and all foreign countries.

AND, for the consideration aforesaid, I do hereby agree that I and my executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore I covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me and that full right to convey the same as herein expressed is possessed by me.

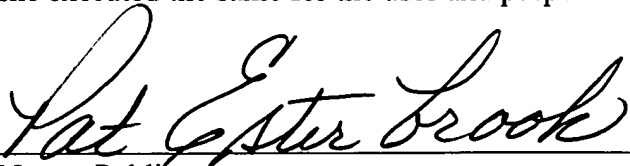
IN TESTIMONY WHEREOF, I have hereunto set my hand this 9 day of Jan, 2001.

STATE OF COLORADO)
COUNTY OF Boulder)ss:


Edward Sean Hoskins

On this 9th day of JANUARY, 2001, before me personally appeared Edward Sean Hoskins to me known to be the person described in, and who executed the foregoing instrument, and acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]


Notary Public

My Commission Expires
09/11/2004

MERCHANT & GOULD P.C.
United States Patent Application
DECLARATION

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled FULL VOLUME SLIP DEFECT MANAGEMENT IN A DISC DRIVE, and identified in the United States Patent and Trademark Office as Serial No. 09/727,031.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.
b. ☐ such applications have been filed as follows:

| FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119 | | | |
|--|--------------------|--------------------------------------|-------------------------------------|
| COUNTRY | APPLICATION NUMBER | DATE OF FILING (day, month, year) | DATE OF ISSUE (day, month, year) |
| | | | |
| ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S) | | | |
| COUNTRY | APPLICATION NUMBER | DATE OF FILING (day, month, year) | DATE OF ISSUE (day, month, year) |
| | | | |

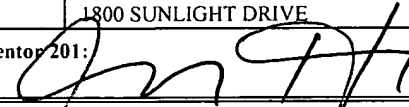
I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. APPLICATION NUMBER | DATE OF FILING (day, month, year) | STATUS (patented, pending, abandoned) |
|-------------------------|-----------------------------------|---------------------------------------|
| | | |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| U.S. PROVISIONAL APPLICATION NUMBER | DATE OF FILING (Day, Month, Year) |
|-------------------------------------|-----------------------------------|
| 60/169,019 | 3 DECEMBER 1999 |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | | |
|--|------------------------------------|---|---|---|
| 2 | Full Name Of Inventor | Family Name HOSKINS | First Given Name EDWARD | Second Given Name SEAN |
| 0 | Residence & Citizenship | City LONGMONT | State or Foreign Country COLORADO | Country of Citizenship UNITED STATES OF AMERICA |
| 1 | Post Office Address | Post Office Address 1800 SUNLIGHT DRIVE | City LONGMONT | State & Zip Code/Country COLORADO 80501/USA |
| Signature of Inventor 201:  | | | Date: 01/09/2001 | |

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
 - or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.